

1 SENATE BILL 237

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

3 INTRODUCED BY

4 Pete Campos

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10 AN ACT

11 RELATING TO MINIMUM WAGES; AMENDING AND ENACTING SECTIONS OF  
12 THE NMSA 1978 TO PROVIDE FOR A MINIMUM HOURLY WAGE RATE OF TEN  
13 DOLLARS TEN CENTS (\$10.10) FOR STATE EMPLOYEES AND FOR  
14 CONTRACTORS' EMPLOYEES WORKING PURSUANT TO STATE CONTRACTS  
15 VALUED AT FIFTY THOUSAND DOLLARS (\$50,000) OR MORE; PROVIDING  
16 FOR INFLATION-BASED INCREASES TO STATE MINIMUM WAGES.

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18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

19 SECTION 1. Section 10-7-9 NMSA 1978 (being Laws 1974,  
20 Chapter 10, Section 2) is amended to read:

21 "10-7-9. MINIMUM SALARY RATE.--Every state employee and  
22 every person regularly employed at a state educational  
23 institution named in Article 12, Section 11 of the constitution  
24 of New Mexico [~~constitution~~], except student employees as  
25 defined by the [~~board of educational finance~~] higher education

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1 department, shall receive a salary at a rate equal to at least  
2 [~~four hundred dollars (\$400) per month~~] ten dollars ten cents  
3 (\$10.10) per hour. The minimum wage rate under this section in  
4 effect on January 1, 2017 shall be adjusted on July 1, 2017 and  
5 each July 1 thereafter for the percentage change in the  
6 consumer price index for all urban consumers between the two  
7 calendar years immediately preceding the adjustment date. Any  
8 increase to the minimum wage pursuant to the provisions of this  
9 section shall be rounded to the nearest multiple of five cents  
10 (\$.05). In the event of a negative percentage change in the  
11 consumer price index, the minimum wage shall not be decreased.  
12 The governor shall publish by May 1 of each year the adjusted  
13 minimum wage pursuant to this section that takes effect on July  
14 1."

15 SECTION 2. A new section of the Procurement Code shall be  
16 enacted to read:

17 "[NEW MATERIAL] CONTRACT WITH A STATE AGENCY--MINIMUM  
18 WAGE.--Under a contract with a state agency that takes effect  
19 on or after July 1, 2016 and is valued at fifty thousand  
20 dollars (\$50,000) or more, a contractor shall pay each person  
21 employed pursuant to the contract no less than a minimum wage  
22 rate of ten dollars ten cents (\$10.10) per hour. The minimum  
23 wage rate under this section in effect on January 1, 2017 shall  
24 be adjusted on July 1, 2017 and each July 1 thereafter for the  
25 percentage change in the consumer price index for all urban

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1 consumers between the two calendar years immediately preceding  
2 the adjustment date. Any increase to the minimum wage pursuant  
3 to the provisions of this section shall be rounded to the  
4 nearest multiple of five cents (\$.05). In the event of a  
5 negative percentage change in the consumer price index, the  
6 minimum wage shall not be decreased. The governor shall  
7 publish by May 1 of each year the adjusted minimum wage  
8 pursuant to this section that takes effect on July 1."

9 SECTION 3. EFFECTIVE DATE.--The effective date of the  
10 provisions of this act is July 1, 2016.